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David D. Kloba

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STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.  
1100 NEW YORK AVENUE, N.W.  
WASHINGTON, DC 20005

EXAMINER

FABER, DAVID

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/705,927	<b>Applicant(s)</b> KLOBA ET AL.	
	<b>Examiner</b> DAVID FABER	<b>Art Unit</b> 2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 July 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-4, 7-13, 16-22 and 25-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 28-30 is/are allowed.
- 6) ☒ Claim(s) 1-4, 7, 8, 10-13, 16, 17, 19-22, 25, 26 and 31-33 is/are rejected.
- 7) ☒ Claim(s) 9, 18, and 27 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

1. This office action is in response to the Request for Continued Examination filed on 17 July 2008.

**This action is made Non-Final.**

2. Claims 1, 9, 10, 13, 16-19, 22, 25-27, 29, 30 and 32 have been amended.

3. The rejection of Claims 1, 10, and 19 under 35 U.S.C. 112, first paragraph, has been withdrawn as necessitated by the amendment. The rejection of Claims 31-33 under 35 U.S.C. 112, second paragraph, has been withdrawn as necessitated by Applicant's persuasiveness. The rejection of Claims 1-3, 7-8, 10-12, 16-17, 19-21, and 25-26 under 35 U.S.C. 103(a) as being unpatentable over Whitledge et al (US Patent #6,925,595, filed 10/5/1998) in further view of Burkett et al (US Patent #6,671,853, filed 7/15/1999) has been withdrawn as necessitated by the amendment. The rejection of Claims 4, 13, and 22 under 35 U.S.C. 103(a) as being unpatentable over Whitledge et al in further view of Burkett et al in further in view of Barron (US Patent #6,665,709, filed 3/27/2000) has been withdrawn as necessitated by the amendment. The rejection of Claims 31-33 under 35 U.S.C. 103(a) as being unpatentable over Whitledge et al in further view of Burkett et al in further view of Dan et al (US Patent 6,560,639, filed on 2/12/1999) has been withdrawn as necessitated by the amendment.

4. Claims 1-4, 7-13, 16-22, and 25-33 are pending. Claims 1, 10, 19, and 28-30 are independent claims.

### ***Specification***

5. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: The phrases “computer usable medium” is not found to have proper antecedent basis in the specification; however it is necessary to use this terminology in order to properly define the claim within the boundaries of statutory subject matter. In order to overcome the object, an amendment to the specification is necessary constituting a non-exhaustive statement of what the phrases “computer usable medium” would be as it would have been known to one of ordinary skill in the art at the time of the invention, in order to verify that the terms “computer usable medium” could not be taken in the context of non-statutory subject matter.

### ***Claim Objections***

6. Claims 9 and 17 are objected to because of the following informalities:

7. Claim 9 recites “wherein the first pointer is a vtable pointer for accessing instance methods and the first pointer is an attribute pointer for accessing said object within said content stream;” within the claim limitation. The Examiner believes there is a typographical error and should be viewed as “wherein the first pointer is a vtable pointer for accessing instance methods and the **second** pointer is an attribute pointer for accessing said object within said content stream;” as done so throughout this Office Action.

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8. Claim 17 recites “wherein said object pointer comprises the first pointer and the second pointer, wherein the first pointer is a vtable pointer for accessing instance methods and an attribute pointer for accessing said object within said content stream;” within the claim limitation. The Examiner believes there is a typographical error and should be viewed as “wherein said object pointer comprises the first pointer and the second pointer, wherein the first pointer is a vtable pointer for accessing instance methods and **the second pointer is** an attribute pointer for accessing said object within said content stream;

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

9. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

10. Claims 31-33 remain rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

11. Claims 31-33 recite the claim limitation “each of said pages has an assigned priority, and wherein objects of the plurality of objects are ordered within said content stream according to the priority assigned to pages with which the objects are

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associated.” Page 32, lines 25-27 discloses “In one embodiment, the discrete basis may prioritize index or home pages and place them in places in the serialized chain of objects so that they may be readily recalled.” The specification discloses that the pages may be assigned priority; however, it does not specifically say they are placed in order based on their priority. Therefore, the Examiner is unable to find the disclosure of a clear, written description that discusses that wherein objects of the plurality of objects are ordered within said content stream according to the priority assigned to pages with which the objects are associated..” within the specification.

***Claim Rejections - 35 USC § 103***

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 1-3, 7-8, 10-12, 16-17, 19-21, and 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Whitledge et al (US Patent #6,925,595, filed 10/5/1998) in further view of Lindsay et al (US Patent 6,754,670, filed 12/17/1999) in further view of Burkett et al (US Patent #6,671,853, filed 7/15/1999)

As per independent Claim 1, Whitledge et al discloses a method comprising:

- Determining layout and rendering parameters based on mobile device information (e.g., Column 8, lines 5-15: Discloses obtaining device-conversion preferences that are to be used to convert an original electronic document

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- into converted electronic document that would allow it to be displayed on a smaller display with a lower resolution, which includes a PDA (Column 21, lines 1-2) The device-conversion preferences would inherently describe the specifications of the display screen of the device which in other words, disclose the resolution, screen size and video information. )
- Parsing requesting content into a document having a plurality of discrete objects, each discrete object having a format based on at least said layout and rendering parameters. (Column 8, lines 19-27: Discloses converting content, wherein content includes objects such as text, images, video, audio, based on preferences into a document. One embodiment includes parsing content into a document that includes converting the content based on the conversion preferences. (Column 23, lines 9-40; FIG 8B)
  - Generating a document table based on said object-by-object basis for said document content. (Column 24, lines 35-40: Discloses in a embodiment where selected, wherein selected can be all, hypertext elements references (points to the elements) are saved into a symbol table so they can used in other expression or documents.
  - transmitting said content stream to a mobile device. (Column 8, lines 29-34, 40-47)

Whitledge et al discloses converting a original electronic document that contains content into a converted electronic document based on conversion preferences.

However, Whitledge et al fails to specifically disclose the original electronic document

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contains a plurality of pages. On the other hand, it was well-known to one of ordinary skill in the art at the time of Applicant's invention that a document may contain more than one page within it. It would have been obvious to one of ordinary skill in the art to have modified Whitledge et al's document to contain more than one pages since it would have provided the benefit of keeping single page document related to each other in one location and reducing the number of total documents which would prevent documents relating to each other being lost or misplaced.

Furthermore, Whitledge fails to specifically disclose the document table wherein the document table includes a first pointer and a second pointer associated with a discrete object, wherein the first pointer is used to access a method associated with the discrete object, and wherein the second pointer points to the discrete object. However, Lindsay et al discloses a relational table mapping within object oriented system wherein the table is mapped (pointing) to an attribute object and associated get/set methods associated the attribute object. (Col 3, line 67- Col 4, line 10) Thus, Lindsay et al discloses a pointer pointing to an object (attribute object) and another pointer pointing to access a method associated with the object (get/set methods).

It would have been obvious to one of ordinary skill in the art at the Applicant's invention to have combined Whitledge et al with Lindsay et al's methods since Lindsay et al's method would have provided the benefit of wherein the object oriented system retains flexibility to accommodate changes and increases efficiency.

In addition, Whitledge et al, and Lindsay et al fails to specifically disclose inputting said document content into a content stream according to said object-by-object



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basis wherein said content stream includes the plurality of objects, and inputting said document table into said content stream according to said object-by-object basis.

However, Burkett et al discloses parsing a document into DOM trees and having the tree be streamed into a binary format in which the streamed objects are known as serialized objects. In addition, any embedded or referenced objects are processed recursively during the process. (Column 3, lines 1-26; line 64 – Column 4, line 2)

Furthermore, Burkett et al states the streaming process includes identifying portions or fragments of a document wherein the fragments are written (inputted) into a serialized binary format, thus containing all the fragments or objects are in the content stream.

(Abstract, lines 5-10) Therefore, a plurality of objects are presented in the content stream when the fragments are parsed and streamed as serialized binary data.

Furthermore, when the document is serialized where its parsed into a DOM tree then serialized, it begins with the root node of the tree, and recursively descends through the lower-level tree nodes. Thus, the tree is serialized (inputted) into a stream in a defined order by levels as it starts with top node, and serialize each node as it descends into lower levels. When finished, the stream is written onto a communications channel.

(Column 3, lines 1-26; line 64 – Column 4, line 2) Whitledge et al discloses an embodiment in by parsing a document first into a DOM tree, and creating a table comprising object references before converting the document. (FIG 9-12, Column 24, lines 9- Column 25, lines 67)

It would have been obvious to one of ordinary skill in the art at the Applicant's invention to have combined Whitledge et al with Lindsay et al's methods since Burkett

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et al's method would have provided the benefit of wherein documents encoded can be more efficiently processed.

As per dependent Claim 2, Whitledge et al discloses a method wherein said object-by-object basis corresponds to distinguishable pieces of request content. (Column 21, line 11 - Column 23, lines 40; FIG 8B: Discloses different objects, text and images, are identified as text and images making them distinguishable.)

As per dependent Claim 3, Whitledge et al discloses a method wherein said document table provides points of reference to the objects of said document content (Column 24, lines 35-40: Discloses in a embodiment where selected, wherein selected can be all, hypertext elements references (points to the elements) are saved into a symbol table so they can used in other expression or documents.

As per dependent Claim 7, Whitledge et al discloses said storing said content stream to a mobile device. (Column 8, lines 29-34; 40-47: Discloses receiving a converted document wherein when the document is received, its inherently saved to temporary memory buffer for further operation.)

As per dependent Claim 8, Claim 8 recites similar limitations as in Claim 1 and Claim 2 and is rejected under rationale. Furthermore, Whitledge et al discloses a method comprising modifying an object of said content stream, wherein said object corresponds to distinguishable pieces of said requested content. (Column 23, lines 9-

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54: Discloses content, such as image, being altered or modify to accustom to the PDA device conversion preferences during the process being received by the PDA.)

As per independent claim 10, Claim 10 recites a system for performing the method of Claim 1 and is similar rejected under rationale.

As per dependent claim 11, Claim 11 recites similar limitations as in Claim 2, and is similarly rejected under rationale.

As per dependent claim 12, Claim 12 recites similar limitations as in Claim 3, and is similarly rejected under rationale.

As per dependent claim 14, Claim 14 recites similar limitations as in Claim 5, and is similarly rejected under rationale.

As per dependent claim 15, Claim 15 recites similar limitations as in Claim 6, and is similarly rejected under rationale.

As per dependent claim 16, Claim 16 recites similar limitations as in Claim 7, and is similarly rejected under rationale.

As per dependent claim 17, Claim 17 recites similar limitations as in Claim 8, and is similarly rejected under rationale.

As per independent claim 19, Claim 19 recites a computer program product... for performing the method of Claim 1 and is similar rejected under rationale.

As per dependent claim 20, Claim 20 recites similar limitations as in Claim 2, and is similarly rejected under rationale.

As per dependent claim 21, Claim 21 recites similar limitations as in Claim 3, and is similarly rejected under rationale.

As per dependent claim 23, Claim 23 recites similar limitations as in Claim 5, and is similarly rejected under rationale.

As per dependent claim 24, Claim 24 recites similar limitations as in Claim 6, and is similarly rejected under rationale.

As per dependent claim 25, Claim 25 recites similar limitations as in Claim 7, and is similarly rejected under rationale.

As per dependent claim 26, Claim 26 recites similar limitations as in Claim 8, and is similarly rejected under rationale.

14. Claims 4, 13, and 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Whitley et al (US Patent #6,925,595, filed 10/5/1998) in further view of Lindsay et al (US Patent 6,754,670, filed 12/17/1999) in further view of Burkett et al (US Patent #6,671,853, filed 7/15/1999) in further in view of Barron (US Patent #6,665,709, filed 3/27/2000).

As per dependent Claim 4, Whitley et al discloses compressing said document content according to said object-by-object basis (Column 23, lines 9-54: Discloses image size being reduced or compressed of its original size to be able to meet the conversion preferences.)

However, Whitley et al, Lindsay et al, and Burkett fail to specifically disclose encrypting said document content according to said object-by-object basis. However, Barron discloses a method of encrypting electronic data into an encrypted data packet. (Column 6, Claim 1, line 48-49).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to have combined Whitley et al, Lindsay et al, and Burkett's methods with Barron's method since Barron's method would have facilitated virtually impregnable security for the delivery, storage and sharing of documents and files.

As per dependent claim 13, Claim 13 recites similar limitations as in Claim 4, and is similarly rejected under rationale.

As per dependent claim 22, Claim 22 recites similar limitations as in Claim 4, and is similarly rejected under rationale.

15. Claims 31-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Whitley et al (US Patent #6,925,595, filed 10/5/1998) in further view of Lindsay et al (US Patent 6,754,670, filed 12/17/1999) in further view of Burkett et al (US Patent #6,671,853, filed 7/15/1999) in further view of Dan et al (US Patent 6,560,639, filed on 2/12/1999)

As per dependent claim 31, Claim 31 recites similar limitations as in Claim 1 and is similarly rejected under rationale. Furthermore, it is inherent that a document contains at least one page, therefore each object of the object of the plurality of objects is associated with the document containing one said page. However, Whitley, Lindsay and Burkett fail to specifically disclose each of the said pages has an assigned priority and objects are ordered within said content stream according to the priority assigned to pages. However, Dan et al discloses the ability to rank pages to give the pages priority. (Col 19, lines 12-22; Col 24, lines 34-45)

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It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to have modified Whittedge et al, Lindsay et al, and Burkett's method and Burkett's et al method with Dan et al's page rank feature since it would provided the benefit of a complex system having pages with more importance be processed first before pages with lower importance for quicker accessibility.

As per dependent claim 32, Claim 32 recites similar limitations as in Claim 1 and 31, and is similarly rejected under rationale.

As per dependent claim 33, Claim 33 recites similar limitations as in Claim 1 and 31, and is similarly rejected under rationale.

### ***Allowable Subject Matter***

16. Claims 9, 18, and 27 remain objected to as being dependent upon a rejected base claim, but would be allowable overcoming all objections and if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

17. Claims 28, 29, and 30 remain are allowed.

### ***Response to Arguments***

18. Applicant's arguments with respect to claims 1-4, 7-13, 16-22, and 25-33 have been considered but are moot in view of the new ground(s) of rejection.

Arguments addressing in regards of the new limitations of Claims 1, 10, 19, and 28-30 brought forth in the amendment the document table includes a first pointer and a

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second pointer associated with a discrete object, wherein the first pointer is used to access a method associated with the discrete object, and wherein the second pointer points to the discrete object has been viewed the new ground of rejection of 35 USC 103(a) under new references using Lindsay et al.

19. Applicant's arguments filed 17 July 2008 have been fully considered but they are not persuasive.

20. On page 14, in regards to claims 31-33, Applicant states that the limitation, "each of said pages has an assigned priority, and wherein objects of the plurality of objects are ordered within said content stream according to the priority assigned to pages with which the objects are associated" as in claim 31, and similarly repeated in claims 32-33, in which the Examiner rejected, asserts that the disclosure on page 32, line 23-27 of the specification teaches the limitation. However, the Examiner disagrees.

Page 32, lines 25-27 of Applicant's specification discloses "*In one embodiment, the discrete basis may prioritize index or home pages and place them in places in the serialized chain of objects so that they may be readily recalled.*" The specification discloses that the pages may be assigned priority; however, it does not specifically state they are placed in order based on their priority. The specification only discloses that the pages are placed in the chain of objects. Therefore, the Examiner is unable to find the disclosure of a clear, written description that discusses that wherein objects of the plurality of objects are ordered within said content stream according to the priority assigned to pages with which the objects are associated.." within the specification.

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Faber whose telephone number is 571-272-2751. The examiner can normally be reached on M-F from 8am to 430pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong, can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/David Faber/  
Examiner, Art Unit 2178

	/CESAR B PAULA/  Primary Examiner, Art Unit 2178
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